

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

AUSTIN FERGE and DOUGLAS WISE,]
v.]
Plaintiff,] Case No. 08-CV-50110
]]
FEDERAL EXPRESS CORPORATION,] Judge Frederick Kapala
a Delaware corporation, d/b/a FEDEX]
EXPRESS, and FEDEX FREIGHT EAST,]
INC., an Arkansas corporation,]
] Defendants.]

MOTION FOR EXTENSION OF TIME

NOW COMES Defendant, **FEDERAL EXPRESS CORPORATION**, by and through its attorneys, SCOPELITIS, GARVIN, LIGHT, HANSON & FEARY, P.C., and hereby moves this Honorable Court for an order extending the time to answer or otherwise plead to Plaintiffs' Complaint, and in support thereof, state as follows:

1. Defendants, FEDERAL EXPRESS CORPORATION and FEDEX FREIGHT EAST, INC., have filed their respective appearances in this matter. FEDEX FREIGHT EAST, INC., has filed an Answer, Affirmative Defenses and Counterclaim for Contribution.
2. FEDERAL EXPRESS CORPORATION is not a proper party to this action.
3. Counsel for Plaintiffs and counsel for Defendant, FEDERAL EXPRESS CORPORATION, have discussed Plaintiffs' voluntary dismissal of FEDERAL EXPRESS CORPORATION as a Defendant in this case.

4. Plaintiffs' counsel has been provided with a Stipulation to Dismiss, attached hereto as Exhibit A, and Defendant is awaiting receipt of an executed copy. Upon receipt, Defendant FEDEX FREIGHT EAST, INC., will move for dismissal.

WHEREFORE, Defendant, **FEDEX FREIGHT EAST, INC.**, respectfully requests the entry of an Order by this Court for an additional 14 days to answer or otherwise plead to plaintiffs' Complaint.

Respectfully submitted,

SCOPELITIS GARVIN LIGHT HANSON & FEARY, P.C.

By: /s/ James D. Ellman
One of the Attorneys for Defendants

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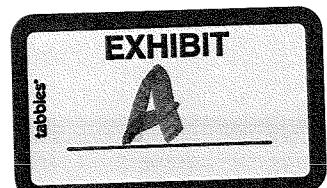
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STIPULATION TO DISMISS AND SUBSTITUTE

Defendant, **FEDERAL EXPRESS CORPORATION, a Delaware corporation, d/b/a FEDEX EXPRESS**, and Plaintiffs, **AUSTIN FERGE and DOUGLAS WISE**, by and through their respective attorneys, hereby stipulate and agree to the entry of an order dismissing, with prejudice, **FEDERAL EXPRESS CORPORATION, a Delaware corporation, d/b/a FEDEX EXPRESS**, as a defendant to this lawsuit. The lawsuit shall continue against Defendant **FEDEX FREIGHT EAST, INC.**

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